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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, You are always the same. Help our legislative leaders to be honest and fair. May our lawmakers labor for justice and peace. As You use them for Your purposes, deliver them from moral paralysis and spiritual inertia.

Make them voices for those who are captives of injustice and oppression. Use them to rescue the hopeless, to help the hurting, and to have pity on the weak. Because of their faithfulness, let this Nation prosper like flowers in a well-kept garden.

As we praise You, Our Father, show Your glory throughout our world.

We pray in Your glorious Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 1 hour, with the first half of the time under the control of the Democratic leader or his designee and the second half of the time under the control of the majority leader or his designee.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

PROGRAM

Mr. FRIST. Mr. President, we have a period of 1 hour of morning business to start today's session. Following morning business, we have 1 hour of debate prior to a scheduled cloture vote on the pending amendment relating to military tribunals, to the military commissions. Before that cloture vote begins, the Democratic leader and I will continue to work toward an agreement that would allow us to consider the military tribunal legislation as a free-standing measure under a specific time agreement. We started talking about that yesterday and worked through the night, and we will continue over the course of the morning to reach that agreement. We are working in good faith toward an understanding on this bill and hope we will be able to work that out prior to that 11:30 a.m. vote. I will keep our colleagues posted as to the outcome of those talks.

If we are able to reach a consent agreement, then I will vitiate the order for the cloture vote, and we will proceed directly to the military tribunals, the so-called Hamdan legislation, today. Votes will likely occur throughout the afternoon either on the cloture vote on that issue or on amendments that may be considered to the free-standing bill.

We have a number of other important items to consider this week. The Defense appropriations conference report has been filed, and we do not expect that to take very much time at all. It may even be that we can do that at some point later today.

We have the Homeland Security appropriations that will shortly be completed, as well as other conference reports that are underway, such as port security, which may become available.

I remind my colleagues that we have a policy meeting on this side of the aisle to occur from 12:30 p.m. to 2:15 p.m. today. If we can schedule debate on one of these issues during that time, we will likely be able to remain in session in order to make progress.

I have a brief statement. Does the Democratic leader have comments?

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

WORKING ON A UNANIMOUS CONSENT AGREEMENT

Mr. REID. Mr. President, I appreciate the majority leader yielding. So everyone understands where we are, let me repeat what the majority leader said. As things now stand, we are going to have a cloture vote on the Hamdan matter, the Supreme Court detainee situation that now confronts the country, sometime this evening.

What we are going to try to do in the next hour or so is work out a unanimous consent agreement that there will be amendments allowed to be offered on the Hamdan matter. There would be amendments. We would agree between the leader and me as to how much time will be on the amendments.

I have cleared this matter with most everyone. As I told the leader today, I still have to work things out with two other members of the Judiciary Committee. Hopefully, I can do that. If not, what will happen is cloture will be invoked on Hamdan and then 30 hours will start, and there will be cloture on the fence bill, the barrier bill, sometime tomorrow. We are trying to work our way through this so the Hamdan matter will have some debate on it and some amendments offered on it. We are doing our best to do that.

As I said yesterday, late in a session such as this, everyone becomes a

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Charles Atlas—one person can stop anything. They have the right to do that. We understand that. But procedurally that is where we are now. Hopefully, we can work our way through this and have some debate on this detainee matter and move on to the fence bill, hopefully work something out on that, and put us on a glidepath to completing the work of the body, as the majority wants to do, in the next couple of days.

Mr. LEAHY. Mr. President, will the Senator yield on that point for a couple of moments?

Mr. REID. Of course.

Mr. LEAHY. Mr. President, I commend the two leaders for trying to work out these issues. Over the years, I have seen leaders try to do it at the end of a session. I don't consider myself a Charles Atlas, but I do consider myself a U.S. Senator. I have taken an oath to uphold the Constitution of the United States.

Some of us have sat in this Chamber and in committee for 5 years while what was being done in detaining the prisoners violated our Constitution and our traditions in the United States. Seven of the nine Members of the Supreme Court are Republicans, incidentally, and have said the same thing in the Hamdan decision.

We tried for 5 years to get the administration to listen to us, to tell us there are ways we could have worked this out so the United States would follow its own laws, would follow its own Constitution, would follow the ideals on which this country was founded, and give that kind of example, a shining light to the rest of the world. And now suddenly the administration, after meeting behind closed doors, predominantly just with the Republicans, says: Here, in 2 hours' time, we have a solution; accept it. I have some problems with that. I will discuss this with the leaders.

As I said, I don't stand here as Charles Atlas, but I stand here as a U.S. Senator with my rights and to protect the rights of Americans.

Mr. REID. Mr. President, reclaiming the floor for just a moment, I say to my friend from Vermont, I consider him a Charles Atlas today and any time I have ever served with him in the Senate. He is one of the most senior Members in the Senate. He is the person the Democrats have designated to be the arbiter of issues that go on in the Judiciary Committee, the busiest committee in the Senate.

I also say to my friend that he is not only a U.S. Senator but a very good one, and I look forward to working with him to work through this issue, and with other members of the committee, as I mentioned, not in name, but there are others I need to work with on the Judiciary Committee.

The PRESIDENT pro tempore. The majority leader.

Mr. FRIST. Mr. President, we will continue our discussions. The goal will be to make sure Senators do have the

opportunity to debate and amend this bill. We are just trying to put together an agreement to do that. If not, we will have the cloture vote and still have that debate and that opportunity as we go forward.

NATIONAL COMPETITIVENESS INVESTMENT ACT OF 2006

Mr. FRIST. Mr. President, I wish to comment briefly on another issue, the National Competitiveness Investment Act of 2006, a bill that was introduced yesterday with bipartisan sponsorship—myself and Senator REID—a bill that focuses on our global competitiveness by focusing on education, by focusing on the resources we should be investing right here at home to make sure we are globally competitive with nations such as China and India. If we don't act, our Nation is going to lose our competitive edge.

The United States today has the strongest scientific and technological enterprise in the world, including the best universities and the best corporations investing in research. But there is growing evidence and recognition that our educational system is failing to equip our young people and older people today to compete in this increasingly global economy. We are failing in the very areas that have in the past underpinned our strength, in areas such as mathematics, science, and engineering.

We are going to have to invest in the future in those specific areas if we are going to preserve our competitive edge, what has made this country great, as we have competed with other nations around the world. We are in a 21st century global economy which depends on mathematics, science, and technology. Those are the foundations. They are the engine to create that economic security for the next generation.

Two years ago, the Senate Energy Committee asked the National Academies to identify policies that would enable the United States to successfully compete and prosper. The National Competitiveness Investment Act of 2006, a bipartisan bill we introduced yesterday, incorporates the recommendations made by the National Academies and a number of other very similar studies that have been produced over the last 2 to 3 years.

The bill reflects the bipartisan leadership of many Senators, including those of the three major Senate committees responsible—Energy, Commerce, and the HELP Committee.

In these few moments, I wish to comment on what this bill does because it is important for people to understand how we invest and where we invest to improve that global competitiveness in this 21st century economy.

The bill doubles our investment for basic Federal research over the next 5 years at the National Science Foundation and increases investment for basic research at NASA and other science-related agencies.

It creates a new teachers institute to improve teaching techniques—how we teach math and science—focusing on education, on teachers who are responsible for putting forth that knowledge.

It creates a DARPA-modeled advanced research projects agency at the Department of Energy dedicated to the goal of increasing innovation and competitiveness breakthroughs in technology.

It expands scholarship programs that are aimed to recruit and train math and science teachers—teachers who really need to focus on the K-12 area.

It encourages more students, more high school students, to take advanced placement courses and enter the international baccalaureate programs.

It will take an increased investment. Over the next 5 years, our economy will exceed \$76 trillion—\$76 trillion is how big our economy will grow. A 1-percent investment for the future is really a small price to pay for that continued security and leadership in the world.

I did not have the opportunity to speak to this bill yesterday when it was introduced. I encourage our colleagues to join the bipartisan leadership—again, myself and Senator REID who are sponsors of this legislation.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Vermont is recognized.

RETIRING FROM THE SENATE

Mr. JEFFORDS. Mr. President, even a diehard Red Sox fan has to give the devil his due. Probably the most moving moment in the history of baseball was when longtime New York Yankees first baseman Lou Gehrig walked on the field to accept the tribute of his fans and teammates. On Independence Day in 1939, he told the crowd at Yankee Stadium that he considered himself the luckiest man on the face of the Earth.

I consider myself pretty lucky, too. I was elected to the House of Representatives in 1974. That was not the best year to be a Republican candidate. Out of an enormous freshman class of 92 new Members, which included CHRIS DODD and TOM HARKIN, only 17 of us were Republicans. And as CHUCK GRASSLEY and I walked down the aisle of the House, he with crutches and I with a neck brace, one Democrat muttered: There's two we almost got.

Time has gotten just about all of us. With my retirement and that of HENRY HYDE in the House, CHUCK GRASSLEY next year will become the last remaining Member of the Republican class of